

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Public Services – Home Department – Punishment of “Dismissal from service” was imposed against Sri A. Lavaiah, Railway Police Sub Inspector and Sri S. Krishna Reddy, Head Constable No.463 formerly worked at Nidadavolu Railway Police Station, West Godavari District since the charge was held proved – Orders of the APAT setting aside the punishment imposed against the Charged Officers – Examined – Punishments modified - Orders – Issued.

**HOME (SER.I) DEPARTMENT**

**G.O.RT.No. 986**

**Dated.21.08.2014  
Read the following:-**

1. From the Director General of Police, A.P. Hyderabad Letter No.215/O2/2005, dated.02.01.2009.
2. G.O.Ms.No.43, Home (Ser.I) Department, dated.24.02.2010.
3. G.O.Ms.No.44, Home (Ser.I) Department, dated.24.02.2010.
4. G.O.Ms.No.45, Home (Ser.I) Department, dated.24.02.2010.
5. G.O.Ms.No.46, Home (Ser.I) Department, dated.24.02.2010.
6. Orders of Hon’ble Tribunal dated.09.04.2014 in O.A.Nos.1164/2010, 9506/2010 and 2857/2010 filed by Sri B. Durga Prasada Rao, DSRP (now Retied), Sri A. Lavaiah, RPSI (now retired) and Sri S. Krishna Reddy, HC.463 of Nidadavolu PS (now retired).
7. From Sri A. Lavaiah, Retired S.I. (Railways) representation dated.27.05.2014.

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**ORDER:-**

In the reference 1<sup>st</sup> read above, the D.G.P., Hyderabad reported that Sri A.Lavaiah, RPSI, Nidadavolu RPS, failed to register a case promptly on 8.11.04 night itself along with his HC Krishna Reddy, Nidadavolu RPS. The said RPSI accepted bribe of Rs.2,000/- from the Accused No.2 through RPHC, Krishna Reddy. Sri A.Satyanarayana, IRP, Rajahmundry (applicant herein) failed to supervise the case properly before it was altered to sections attracting SC/ST (POA) Act provisions. He also accepted Rs.8,000/- from the RPSI, Nidadavolu on 6.4.05, which was given from the A2. Sri B.D.Prasada Rao, DSRP, Visakhapatnam also failed to investigate the case in a right way from the very beginning and accepted money of Rs.1,000/- from the Accused No.2 on 8.4.05. All the money transactions on 6.4.05 and 8.4.05 were videographed by TV 9, which is having perfect documentary evidence. Therefore, common departmental enquiry under rule-24 read with Rule-20 of APCS (CC&A) Rules, 1991, was initiated against the Charged Officers i.e., (1) Sri B.Durga Prasada Rao, DSRP, Visakhapatnam (now retired), (2) Sri A.Satyanarayana, IRP Railways, Rajahmundry, (3) Sri A.Lavaiah, RPSI, Nidadavolu and (4) Sri S.Krishna Reddy, HC 463 of Nidadavolu PS. Further, Sri Ravi Gupta, IPS, the then DIG, Eluru, who was appointed as Enquiry Officer, has conducted the inquiry into the charges, and held the charges ‘**Proved**’ against the above said (4) Charged Officers, beyond any reasonable doubt while forwarding the O.E. report the DGP, Hyderabad has requested to take further necessary action in the matter. Accordingly after following due procure orders were issued imposing the punishment of “withholding of entire pension permanently” against Sri B. Durga Prasada Rao, Deputy Superintendent Railway Police, formerly to Viskahpatnam (now retired) vide reference 2<sup>nd</sup> read above. Further orders were also issued vide references 3<sup>rd</sup> to 5<sup>th</sup> cited imposing the punishment of “Dismissal from service” against Sri A.Satyanarayana, IRP Railways, Rajahmundry, (3) Sri A.Lavaiah, RPSI, Nidadavolu and (4) Sri S.Krishna Reddy, HC 463 of Nidadavolu PS., since the charges were held proved.

2. In the reference 6<sup>th</sup> read above, the Hon’ble Tribunal in its common Judgement, while admitting the O.As. filed by the applicants Sri B. Durga Prasada Rao, DSRP (now Retied), Sri A. Lavaiah, RPSI (now retired) and Sri S. Krishna Reddy, HC.463 of Nidadavolu PS (now retired) and while discussing the various direction of the Hon’ble Apex Court, have ordered that for the reasons stated under Point No.(i) and (ii), the OAs are allowed in part setting aside G.O.Ms.No.45, 46, and 43, Home (Ser.I) Deptt., dated 24.02.2010. The matter are remanded back to the Government with a direction to impose lesser penalty against the applicants and also as was done in case of Sri A.Satayanarayana, Inspector of Police, Railways, Rajahmundry, through G.O.Ms.No.269. Home (Ser.I) Deptt., dated 21.10.2010, taking into consideration the fact that the applicants in these OAs have all retired from service and they have no means to survive. Appropriate orders in this regard shall be passed with in a period of six weeks from the date of receipt of the orders.

(P.T.O)

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3. In the reference 7<sup>th</sup> read above, Sri A. Lavaiah, Retired S.I. (Railways) has submitted a representation requesting to implement the orders of the Hon'ble Tribunal dated.09.04.2014.

4. Government after careful examination of the entire matter in the light of the orders of the Hon'ble Tribunal hereby modify the punishment of "Dismissal from service" to that of "20% cut in pension for a period of (2) years" against Sri A. Lavaiah, Railway Police Sub Inspector and Sri S. Krishna Reddy, Head Constable No.463 formerly worked at Nidadavolu Railway Police Station, West Godavari District (Now retired) and also modify the punishment of withholding of "entire pension permanently" to that of 20% cut in pension for a period of (2) years against Sri B. Durga Prasada Rao, Deputy Superintendent of Railway Police (now Retired).

5. The Director General of Police, A.P., Hyderabad, shall take action accordingly, under intimation to Government, at an early date.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr B.PRASADA RAO,  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri B. Durga Prasada Rao, formerly Deputy Superintendent of Railway Police (now retired),  
Sri A. Lavaiah, Railway Police Sub Inspector and Sri S. Krishna Reddy, Head  
Constable No.463 formerly worked at Nidadavolu Railway Police Station, West  
Godavari District (now retired) through the Director General of Police, Hyderabad.

The Director General of Police, A.P. Hyderabad.

Copy to:

The Government Pleader for Home,

Andhra Pradesh Administrative Tribunal, Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER